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सदस्य सचिव
राष्ट्रीय पिछड़ा आयोग
भारत सरकार
नई दिल्ली-110 066

MEMBER SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
NEW DELHI-110 066

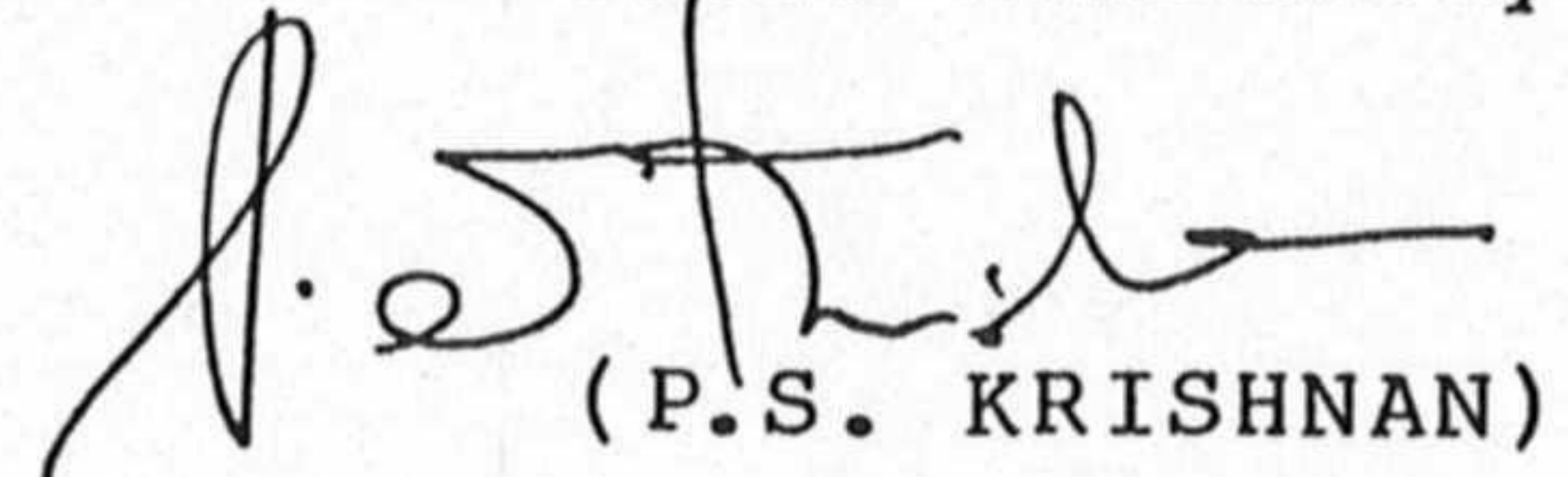
NCBC Advice No. Delhi 13/99

30. 07. 1999

Dear Smt. Das,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Inclusion of "Arak, Arakvanshiya" caste/community in the Central List of Backward Classes for the NCT of Delhi, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Smt. Asha Das
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

NCBC. Advice No.13 /Delhi/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

Delhi Bench

FINDINGS

Per Justice Shri P.K. Shyamsundar, Chairperson.

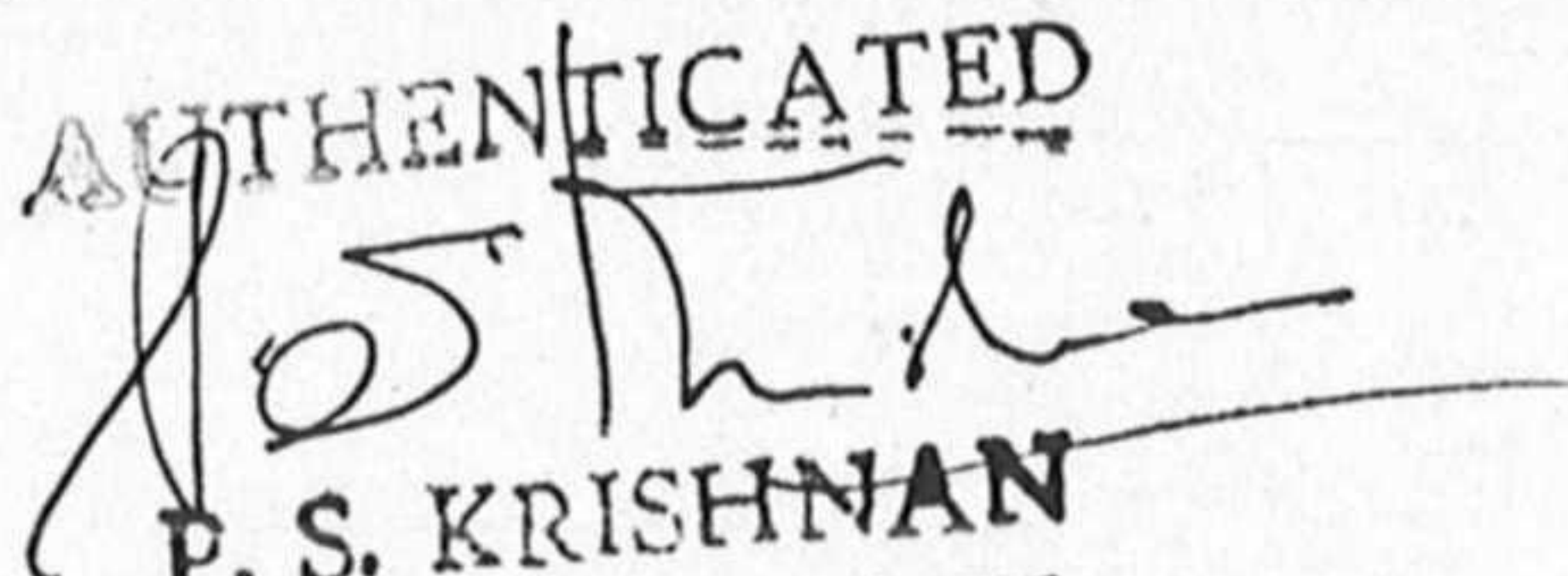
Case:- Request for inclusion of "Arakvanshiya(Arak)" in the Central list of Backward Classes for the National Capital Territory of Delhi.

I. Request

1. This case arises from the Requests received in this Commission from Shri Ramesh Chander Arakvanshi, Secretary, Arak (Bandhu) Samaj Sabha, Meerut, for inclusion of 'Arakvanshiya(Arak)' in the Central list of Backward Classes for the NCT of Delhi.

II. Public Hearing

2. The two-Member Delhi Bench of the Commission consisting of Hon'ble Justice Shri P.K. Shyamsundar, Chairperson, NCBC and Shri P.S. Krishnan, Hon'ble Member-Secretary, NCBC held a Public Hearing in respect of this Request at Delhi on 26.4.1999. At the Public Hearing the State Government was represented by Shri C.Targy, Secretary (SC/ST), Welfare Department, Chowdhry Ragunath Singh, Member, Backward Classes Commission, NCT of Delhi and

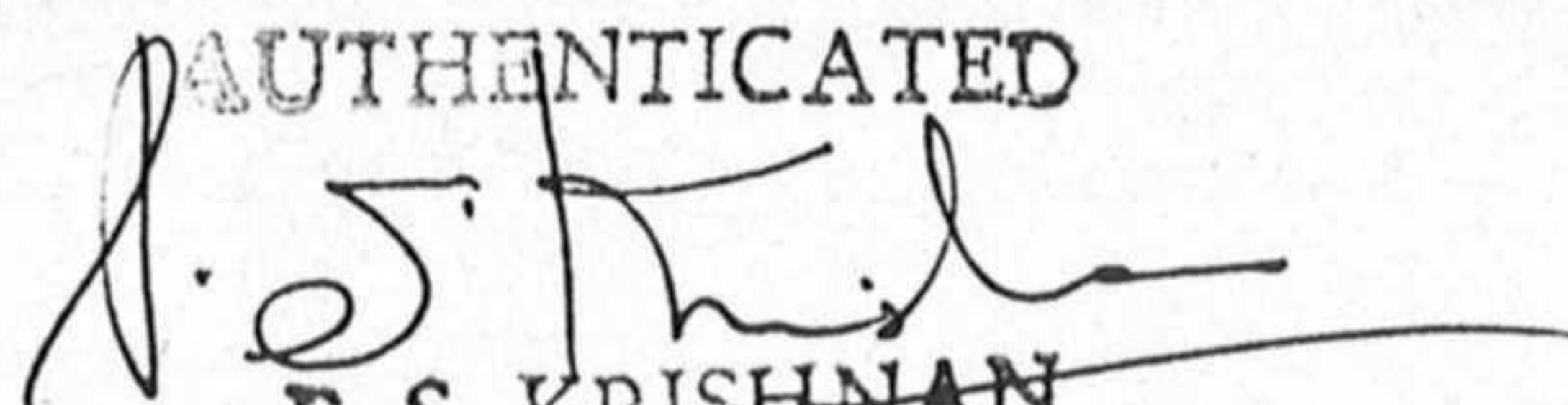
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Shri Brahmanand, Deputy Director, Directorate for the Welfare of Scheduled Castes and Scheduled Tribes and other officers. The Arakvanshiya community was represented by Shri Ramesh Chand Arakvanshi & Others.

III.

Facts

3. The NCT of Delhi had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case, delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the Principle of commonality, recommend a Central List of Backward Classes for the NCT of Delhi as it could do for 14 other State, which already had their respective lists of Backward Classes, and therefore, the Central Government also could not issue a Central List of Backward Classes for the NCT of Delhi in 1993. The Government of the NCT of Delhi issued its list of Backward Classes by its Notification No. F.28(93)91-92/SCST/P&S dated 7.1.1995, based on the Advice of the Backward Classes Commission of N.C.T of Delhi. Thereafter, the Central Government vide Ministry of Welfare's Resolution No. 12011/7/95-BCC dated 24.5.1995 issued a "Common" (Central) list of Backward Classes for the NCT of Delhi.
4. "Arakvanshiya" caste/community has not been included in the State List of Backward Classes for Delhi and in the Mandal List of Backward Classes for Delhi. Therefore, it is not included in the "Common" (Central) List of BCs for the NCT of Delhi issued by the Government of India on 24.5.1995.
5. During the Public Hearing the representatives of the caste/community stated that the population of the community is about 10,000 in Delhi. Originally they belong to U.P. and have migrated to Haryana and Delhi. In U.P. their population is concentrated in Hardoi and also scattered in

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Sitapur, Fatehpur, Kanpur, & Allahabad districts. Traditionally their occupation is agricultural labour. Their forefathers worshiped Sun God and therefore they were known as 'Arka' (Sun). Their caste/community has been included in the Central List of Backward Classes for the State of U.P. The literacy rate is very low. They do not have any representatives in the Parliament or State Legislature and in the profession of Chartered Accountants, Doctors, Lawyers etc. At present members of their community work as agricultural labourers, manual labourers, petty jobs and majority of them live in Kacha houses. On specific query by the Bench, it was stated that they did not represent to the Jain Commission (State Backward Classes Commission, NCT Delhi) as they were not aware of it. The filled-up Questionnaire furnished by the community states that their traditional occupation is agricultural labourer and gardening. Their community is spread throughout the country. Seventy percent of their community are landless labourers. The number of graduates and matriculates are 50 & 300 respectively. Seventy percent of their community members live in kacha houses.

6. W. Crooke, in 'The Tribes and Castes of the North Western India', (Cosmo Publications, Delhi, 1974) under the head 'Arakh' describes it as under:-

"A tribe of cultivators and labourers found in Oudh, some of the eastern districts, and scattered about in smaller numbers through some of the western districts.... All the traditions connect them with the Pasis and Parasurama, the sixth Avatara of Vishnu. One story runs that Parasurama was bathing in the sea when a leech bit his foot and caused it to bleed. He divided the blood into two parts: out of one part he made the first Pasi and out of the second the first Arakh..... In Lucknow they have an extraordinary story that Tilok Chand founded a Bhar dynasty and was a

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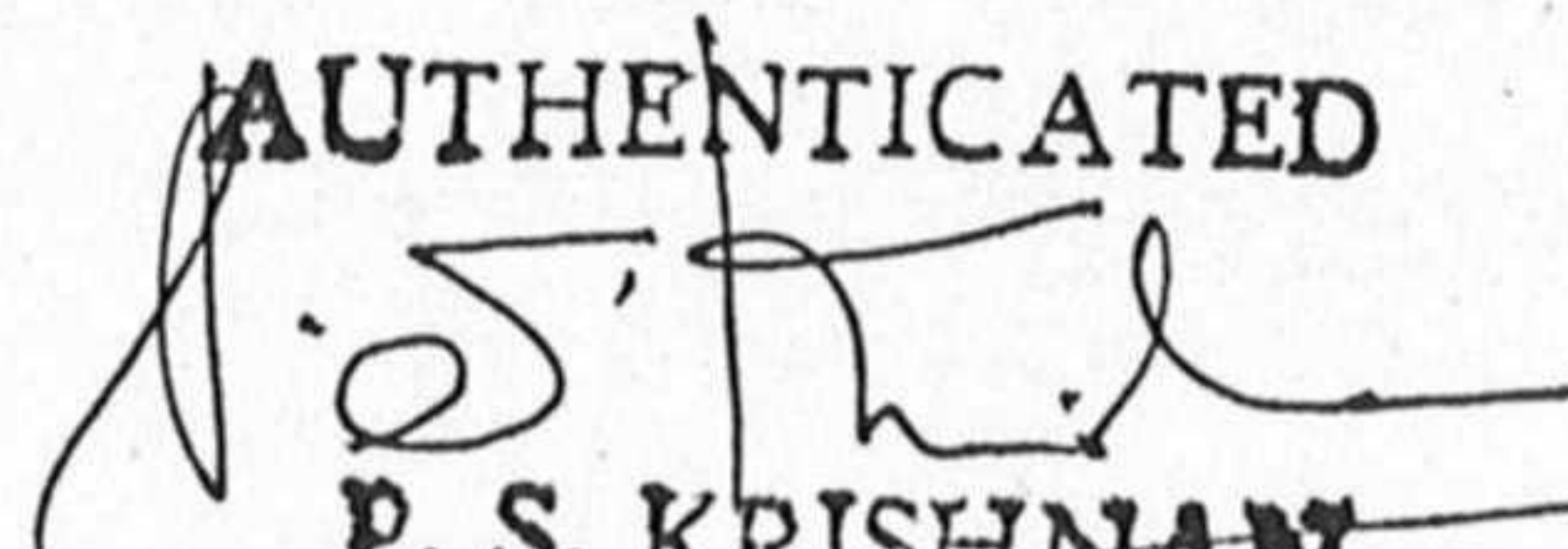
worshipper of the sun (Arka), so he called his family Arkabansi. The Arkabans became the Arakhs, and the Rajbansi the Rajpasi. The Arakhs appear at an early date to have obtained considerable power in Oudh, especially in Hardoi.....They are Hindus, not belonging to any particular sect, visiting no particular shrine, and worshipping no special saint. Their goddess is Devi, whom they propitiate with an offering of goats. Their priests are Brahmans of low social position.....Arakhs say that their original occupation was service. They hold no zamindari, but cultivate and work as ordinary labourers. In some places they bear a somewhat equivocal reputation for petty thieving."

7. R.V.Russell and Hiralal, in 'The Tribes and Castes of the Central Provinces of India', (Published by Asian Educational Services, New Delhi, First Edition 1916, Reprint 1993), under the head "Arakh" writes as under:

"A small caste of cultivators and labourers found principally in the Chanda District and Berar and scattered over other localities. The Arakhs are considered to be an offshoot of the pasi or Bahelia caste of hunters and fowlers. Mr. Crooke writes of them:While Parasurama was away the Pasi shot some animals with his bow, and the deity was so enraged that he cursed the Pasi, and swore that his descendants should keep pigs. This accounts for the degradation of the Pasis....The social customs of the Arakhs resemble those of other low Hindu castes and need not be given in detail.....The Arakhs are a very low caste, but their touch does not convey impurity."

8. The caste/community under consideration is included in the State and Central List of BCs for the State of U.P. This Commission has tendered Advice to the Government of India vide its Advice No 4/UP/97 dt 3/10/97

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for inclusion of 'Arakvanshiya' as a synonym of 'Arak' for the state of Uttar Pradesh.

9. During the Public Hearing, those present who were from different sections of the society as well as the representatives of the State Government did not object to the inclusion of 'Arak, Arakvanshiya' in the Central List of Backward Classes for Delhi.

IV.

Findings

From the above material and the evidence adduced before the Bench, it is the Finding of the Bench that "Arak, Arakvanshiya" is Socially Backward and it should therefore be included in the Central List of Backward Classes for the NCT of Delhi at new entry No.53 as follows:

"53. Arak, Arakvanshiya"

P. S. Krishnan

28.7.99
(P.S.Krishnan)

P. K. Shyamsundar
28/7/99
(Justice P.K.Shyamsundar)

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V. Advice of the Commission

13. The Commission considered and agreed in full with the above Finding of the Delhi Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act 1993 for action by the Central Government under section 9(2) of the Act:

"Arak, Arakvanshiya" be included in the Central List of Backward Classes for the NCT of Delhi at a new entry No.53 as follows:

"53. Arak, Arakvanshiya"

P. S. Krishnan
28/7/99

28.7.99

Ashayam
29.07.99

Shri
30/7/99

Madan
29.7.99

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